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(Original Signature of Member)

110TH CONGRESS
1ST SESSION

H. R. _____

To authorize the Archivist of the United States to make grants to States
for the preservation and dissemination of historical records.

IN THE HOUSE OF REPRESENTATIVES

Mr. HINCHEY introduced the following bill; which was referred to the
Committee on _____

A BILL

To authorize the Archivist of the United States to make
grants to States for the preservation and dissemination
of historical records.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Preserving the Amer-
5 ican Historical Record Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) Much of the American historical record,
2 such as evidence of births, education, marriage, di-
3 vorce, property owned, obligations satisfied, and
4 criminal conduct, is held at the State and local level
5 by organizations that preserve the records that pro-
6 tect the rights of the Nation.

7 (2) The United States has recognized the im-
8 portance of history by its support of national institu-
9 tions such as the National Archives, the Library of
10 Congress, and the Smithsonian Institution. Yet, this
11 support is not adequate to reach the rest of the Na-
12 tion's archives being held in State and local histor-
13 ical societies, archives, and library history collec-
14 tions.

15 (3) More resources need to be directed to State
16 and local organizations to ensure essential care of
17 documents and archival records in their many forms
18 so that they can be readily used by the people of this
19 Nation.

20 (4) History connects people to community—
21 whether the community is a family, a neighborhood,
22 a city, a State, or a nation. Connections to the past
23 are essential to sustaining democracy, educating stu-
24 dents, creating a sense of place in family and com-
25 munity, supporting information needs in business

1 and legal affairs, and making reasoned decisions
2 about the Nation's future direction.

3 **SEC. 3. PURPOSES.**

4 The purposes of this Act are—

5 (1) to protect historical records from harm, to
6 prolong their life, and to preserve them for public
7 use, through the use of electronic records initiatives
8 and plans for disaster preparedness, recovery and
9 other preservation activities;

10 (2) to use historical records in new and creative
11 ways to convey the importance of State, territorial,
12 and community history, including the development of
13 teaching materials for elementary, secondary, and
14 post-secondary teachers, active participation in Na-
15 tional History Day, and support for life-long learn-
16 ing opportunities;

17 (3) to provide education and training to archi-
18 vists and others who care for historical records, en-
19 suring that they have the necessary knowledge and
20 skills to fulfill their important responsibilities; and

21 (4) to create a wide variety of access tools, in-
22 cluding archival finding aids, documentary editions,
23 indexes, and images of key records maintained on
24 Internet websites of State and local organizations.

1 **SEC. 4. AUTHORITY TO MAKE GRANTS.**

2 The Archivist may make grants under this Act to
3 States to carry out programs consistent with the purposes
4 of this Act.

5 **SEC. 5. USE OF GRANT AMOUNTS.**

6 (a) **REQUIREMENTS.**—The Archivist may not award
7 grants to any State under this Act unless—

8 (1) the State agrees to use grant amounts only
9 to carry programs consistent with the purposes of
10 this Act;

11 (2) the State certifies the availability of State
12 or private funds, or an in-kind equivalent, equal to
13 half the amount of the grant to be awarded; and

14 (3) the State ensures that grant amounts are
15 used to supplement, and not supplant, non-Federal
16 funds that would otherwise be available for those
17 purposes.

18 (b) **ADDITIONAL CONDITIONS.**—The Archivist may
19 require additional terms and conditions in connection with
20 the use of grant amounts provided under this Act as the
21 Archivist considers appropriate.

22 **SEC. 6. SELECTION CRITERIA.**

23 (a) **AWARDING OF GRANTS.**—The Archivist shall
24 award grant amounts under this Act in accordance with
25 criteria to be established by the Archivist consistent with
26 the purposes of this Act.

1 (b) CONSULTATION WITH STATE ARCHIVISTS AND
2 SECRETARIES OF STATE.—In establishing the criteria
3 under subsection (a), the Archivist shall consult with ap-
4 propriate State and local officials.

5 **SEC. 7. APPLICATION.**

6 The Archivist may award grant amounts under this
7 Act only to a State that has submitted an application to
8 the Archivist at such time, in such manner, and containing
9 such information as the Archivist may require.

10 **SEC. 8. REVIEW AND SANCTIONS.**

11 (a) ANNUAL REPORT BY STATE.—Each State receiv-
12 ing funds under this Act during a calender year shall pro-
13 vide to the Archivist, no later than January 31 of the fol-
14 lowing year, a report on activities supported by such funds
15 during the previous calendar year.

16 (b) ANNUAL REVIEW.—The Archivist shall review an-
17 nually the report provided by each State under subsection
18 (a) to determine the extent to which the State has com-
19 plied with the provisions of this Act.

20 (c) IMPOSITION OF SANCTIONS.—The Archivist may
21 impose sanctions on any State for any failure to comply
22 substantially with the provisions of this Act. The Archivist
23 shall establish the sanctions to be imposed for a failure
24 to comply substantially with the provisions of this Act.

1 **SEC. 9. ANNUAL REPORT.**

2 Not later than March 1 of each year, the Archivist
3 shall submit to the Committee on Homeland Security and
4 Governmental Affairs of the Senate and the Committee
5 on Oversight and Government Reform of the House of
6 Representatives a report describing the activities carried
7 out under this Act and containing any related information
8 that the Archivist considers appropriate.

9 **SEC. 10. DEFINITIONS.**

10 In this Act:

11 (1) **STATE.**—The term “State” includes the
12 District of Columbia and Puerto Rico.

13 (2) **ARCHIVIST.**—The term “Archivist” means
14 the Archivist of the United States appointed under
15 section 2103 of title 44, United States Code.

16 (3) **HISTORICAL RECORDS.**—The term “Histor-
17 ical Record” means unpublished materials created or
18 received by a person, family, or organization, public
19 or private, in the conduct of their affairs that are
20 preserved because of the enduring value contained in
21 the information they contain or as evidence of the
22 functions and responsibilities of their creator.

23 (4) **STATE ARCHIVIST.**—The term “State Archi-
24 vist” means the individual mandated by law within
25 each state with responsibility for managing the ar-
26 chival records of state government.

1 **SEC. 11. REGULATIONS.**

2 The Archivist shall prescribe any regulations nec-
3 essary to carry out this Act.

4 **SEC. 12. AUTHORIZATION OF APPROPRIATIONS.**

5 There is authorized to be appropriated to the Archi-
6 vist \$50,000,000 each fiscal year for five fiscal years, be-
7 ginning with the first fiscal year beginning after the date
8 of the enactment of this Act, to make grants under this
9 Act.